IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.72 OF 2004

In the matter of Guardians and Wards Act-VIII of 1890

And

In the matter of Miss Varsha R. Mohite

2) Master Mangesh R. Mohite

..Minors

Subhadra Shripati Mohite ..Petitioner.

Mr.R.M.Rajbhar, Advocate for the Petitioner.

CORAM: S.J. VAZIFDAR, J.
DATED: 20TH OCTOBER, 2004

P.C. :

The Petitioner seeks to be appointed as the guardian of the minor son and daughter of her deceased son. The mother and father of the minors expired on 29.4.1999 and 23.5.2002.

2. The maternal grand parents of the minor children have filed an affidavit giving their consent to the appointment of the Petitioner as the guardian of the minor children. Similar affidavits have also been

filed by the brothers of the father of the minor children.

3. In the circumstances, the notice under section 11(1)(d) of the Guardians and Wards Act, 1890 is dispensed with.

4. The Petition is made absolute in terms of prayer (A).

5. The Brihan Mumbai Electric Supply and Transport Undertaking (BEST) is directed to forward the Provident Fund dues in respect of the deceased Ramesh S. Mhite to the Accounts Officer, High Court (Original Side) Bombay.

6. All authorities, including the Administrative Officer, Provident Fund of the Brihan Mumbai Electric Supply and Transport Undertaking (BEST) and the Deputy Commissioner of Labour (Administration) are directed to forward 2/3rds of the amount standing to the credit of the deceased Ramesh S. Mohite payable on account of his death to his minor children, to the Accounts Officer, High Court (Original Side) Bombay.

7. The Accounts Officer, High Court (Original Side) Bombay on receiving the amounts as aforesaid, is ordered and directed to invest the same in a Nationalized Bank initially for a period of one year and thereafter for the like periods of one year each.

8. The Administrative Officer of the Bombay Suburban Electric Supply and Transport Undertaking (BEST) is directed to forward the monthly pension directly in the name of the Petitioner for the purpose of maintenance and education of the said minor children.

9. Petition is accordingly disposed of.

Parties to act on an ordinary copy of this order duly authenticated by the Associate/Court Stenographer.